

REMARKS

In response to the above-identified Office Action, Applicant has amended claims 1, 8, and 15. Claims 1-20 remain pending in the present application.

For the reasons set forth more fully below, Applicant respectfully submits that the present claims are allowable. Consequently, reconsideration, allowance and passage to issue of the present application are respectfully requested.

The Examiner rejected claims 1-20 under 35 U.S.C. 102(e) as being clearly anticipated by Rasansky et al. The Examiner also rejected claims 15 and 17 under 35 U.S.C. 103(a) as being unpatentable over Rasansky et al. (hereinafter "Rasansky") in view of Tominaga et al. (hereinafter "Tominaga"). Applicant respectfully disagrees with the rejections.

The present invention overcomes obstacles faced by the local broadcaster or cable operator in implementing a system to insert local commercials at small markets into a national program feed distributed by satellite. Through the present invention, an Internet file server provides an intermediary for file transfers between a local traffic system and a central site server of a digital media distributor system. As described in the specification on page 3, line 21 - page 4, line 2, a digital media distributor (DMD) in accordance with the present invention provides a complete end-to-end system that gives local cable or network affiliates the ability to provide local ads and announcement insertion together with the delivery of cable or network feed(s).

Applicant has amended independent claims 1, 8, and 15 to more particularly recite the features of the digital media distributor system, as described in the specification. Applicant also has amended the recitation of the local traffic system in independent claims 1, 8, and 15 by including the aspect of the local traffic system providing schedule initiation for local advertisement and announcement times, as presented in the specification on page 8, lines 8-13. Applicant

respectfully submits that no new matter has been entered by these amendments and that the cited art fails to teach, show, or suggest the recited invention.

The cited art of Rasansky is wholly concerned with providing customized personal calendars from information stored in a database through the Internet, so as to obviate the need for special software calendar programs to be purchased by end users (see Abstract). The Appointnet system described by Rasansky provides "an efficient mechanism through which an individual or groups of individuals can set appointments in time and space; organize events; send announcements; and post reminders in such a way that information is available to selected individuals or groups of individuals" (column 5, lines 9-14). In support of the Appointnet system, Rasansky does discuss the use of Internet information server software for a web subsystem through which all interactions between client devices and a database subsystem occur (see cited column 5, lines 52 - column 6, line 3). However, as presented in this section of Rasansky, it is merely "calendars, forms for invitations, announcements, and reminders" that are generated by the Web subsystems using information stored in the database subsystem.

Applicant respectfully submits that Rasansky's Appointnet system fails to teach, show, or suggest the provision of an Internet file server or intermediary for file transfers between a central site server and at least one local traffic system in a digital media distributor system, as recited by the Applicant in amended independent claims 1, 8, and 15. Further, dependent claims 2-6 and 9-13 recite the transfer direction by the Internet file server with the local traffic system for each type of file, which indicate the singular direction of the transfer for that file type, as described in the specification, including page 8, lines 19-20 ("for each type of file, transfers occur in only one direction ...). Without further criticality of teaching, Applicant respectfully submits that the

achievement of efficient file transfer and traffic management in a digital media distributor system with the present invention is not anticipated or suggested by the Appointnet system of Rasansky.

With regard to the reference of Tominaga, Tominaga is cited for teaching the exchanging of files according to a chosen Internet transfer protocol, including FTP. Given the aforementioned deficiencies of Rasansky, Applicant respectfully submits that even the inclusion of the teachings of Tominaga with Rasansky would not result in any teaching or suggestion of the recited invention.

In view of the foregoing, Applicant respectfully submits that claims 1-20 are not taught, shown, or suggested by the cited art. Accordingly, Applicant respectfully requests withdrawal of the rejections under 35 U.S.C. 102(e) and 103(a).

Applicant's attorney believes that this application is in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,



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